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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,784	01/16/2002	Bahadir Erimli	95-507	2631

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MANELLI DENISON & SELTER
2000 M STREET NW SUITE 700
WASHINGTON, DC 20036-3307

EXAMINER

DIVECHA, KAMAL B

ART UNIT	PAPER NUMBER
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2151

DATE MAILED: 06/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

8

Office Action Summary

Application No.

10/046,784

Applicant(s)

ERIMLI, BAHADIR

Examiner

KAMAL B. DIVECHA

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on January 16, 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03/21/2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>20050425</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-7 are presented for examination.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

1. Claims 5-7 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

For a claimed invention to be statutory, the claimed invention must produce a useful, concrete and tangible result. In the present case, claims 5-7 does not produce any tangible results and also it fails to disclose any tangible medium in the claims. As such, claims are not limited to statutory subject matter and are therefore non-statutory.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 and 3-7 are rejected under 35 U.S.C. 102(e) as being by anticipated by Avery (U. S. Patent No. 6,611,883 B1).

As per claim 1, Avery discloses a method in a channel adapter configured for communications with a server network system, the method comprising: first storing, in a table

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configured for storing multiple entries, an entry having a work queue entry field that specifies a transmitted work queue entry, the entry including at least first and second link fields each configured for referencing another entry in the table, the first storing step including storing in the first link field a first entry identifier for one of the transmitted work queue entry and a subsequently transmitted work queue entry relative to the transmitted work queue entry, wherein the first link entry identifiers in the respective first link fields form a first linked list specifying a transmit sequence of the transmitted work queue entries; detecting an acknowledgement for at least a first of the transmitted work queue entries stored in the table and generating in the table a second linked list specifying an acknowledgement sequence of the transmitted work queue entries by second storing, in the second link field of the entry corresponding to the first transmitted work queue entry, a second entry identifier based on the detecting step, the second entry identifier specifying one of the first transmitted work queue entry and an entry having received a subsequent acknowledgement relative to the detected acknowledgement (fig. 7 item #754, 703, 705, 770 and col. 8 L43 to col. 11 L25 and col. 12 L1-45).

As per claim 3, Avery discloses the process of tracking the tracking section (checking second linked list) to determine transmitted work queue entries awaiting acknowledgement (col. 10 L48-60 and col. 9 L58-65).

As per claim 4, Avery discloses the process of tracking (detecting or receiving) acknowledgement according to Infiniband protocol (col. 10 L48-59, fig. 3 and fig. 9B item #922).

As per claim 5-7, they do not teach or further define over the limitations in claims 1, 3-4. Therefore, claims 5-7 are rejected for the same reasons as set forth in claims 1, 3-4.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Avery (U. S. Patent No. 6,611,883 B1) in view of Heddes et al. (hereinafter Heddes, U. S. Patent No. 5,311,509).

As per claim 2, Avery discloses the process of storing the entry in a send queue table (col. 6 L49-60, fig. 3 item #311, col. 10 L24-26 and col. 10 L60 to col. 11 15), however Avery does not explicitly disclose the process of storing the entry in the send queue table by a free buffer manager. Heddes discloses a buffer management system comprising a free buffer manager for controlling the memory space (col. 5 L1-40 and fig. 8 item #112 and fig. 9). Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Avery for the purpose of storing the entry in the send queue table by a free buffer manager. One of ordinary skilled in the art would have been motivated because it would have controlled the memory space and/or buffers.

Additional References

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Avery, U. S. Patent No. 6,622,193 B1.
- b. Xie et al., U. S. Patent No. 6,662,213 B1.

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- c. Craddock et al., Pub. No.: US 2003/0018828 A1.
- d. Craddock et al., U. S. Patent No. 6,789,143 B2.
- e. Avery, U. S. Patent No. 6,813,653 B2.
- f. Muller et al., U. S. Patent No. 6,453,360 B1.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAMAL B. DIVECHA whose telephone number is 571-272-5863. The examiner can normally be reached on Flex schedule 8 hr days (10.00am-6.30pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

June 15, 2005.


ZARNI MAUNG
SUPERVISORY PATENT EXAMINER